

U.S. Department of the Interior
Bureau of Land Management
White River Field Office
73544 Hwy 64
Meeker, CO 81641

ENVIRONMENTAL ASSESSMENT

NUMBER: CO-110-2005-220-EA / FERC Docket Nos. CP06-45-000, -001

CASEFILE/PROJECT NUMBER: COC69158

PROJECT NAME: Parachute Plant to Greasewood Hub
(Hereafter the Parachute Lateral Project)

LEGAL DESCRIPTION:

PIPELINE ROUTE:

Sixth Principal Meridian, Colorado

T. 2 S., R. 96 W.,
Sec. 5, lot 25;
Sec. 8, lot 2, 3, 6, 7, 11-14;
Sec. 17, lot 4, 5, 12, 14;
Sec. 18, lot 13, 20;
Sec. 19, lot 12-14, 18-20;
Sec. 30, lot 7, 10, 15-17;
Sec. 31, lot 1.

T. 2 S., R. 97 W.,
Sec. 36, lot 5, 12.

T. 3 S., R. 96 W.,
Sec. 18, lot 6, 7, 10, 11;
Sec. 19, lot 1-3.

T. 3 S., R. 97 W.,
Sec. 1, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 2, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 25, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 4 S., R. 97 W.,
Sec. 1, lot 3, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE;
Sec. 14, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 27, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

TEMPORARY USE PERMIT:

Access Roads:

Sixth Principal Meridian, Colorado

T. 2 S., R.96 W.,
Sec. 5, lot 25;
Sec. 8, lot 2, 3, 6, 7, 11-14;
Sec. 17, lot 4;
Sec. 18, lot 5, 12, 13, 19, 20;
Sec. 19, lot 5, 6, 10, 11,14, 18, 19;
Sec. 30, lot 7, 10, 15-17;
Sec. 31, lot 1.

T. 2 S., R. 97 W.,
Sec. 36, lot 5, 12.

T. 3 S., R. 96 W.,
Sec. 18, lot 6, 7, 10, 11;
Sec. 19, lot 1-3.

T. 3 S., R. 97 W.,
Sec. 1, lot 1, SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 2, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 13, NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 24, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 25, E $\frac{1}{2}$ E $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 36, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 4 S., R. 97 W.,
Sec. 1, lot 3, W $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 2, SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 14, E $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 15, E $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 22, E $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Sec. 27, E $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

Pipe Lay Down Areas:

T. 2 S., R. 96 W., (Alternate)
Sec. 5, E $\frac{1}{2}$ SE $\frac{1}{4}$; 250' X 1200' = 7 acres
Sec. 8, lot 13; 250' X 1200' & 300' X 300' = 2.07 acres
Sec. 17, lot 3, 4; 150' X 200' = 0.69 acres

Staging Areas:

T. 2 S., R. 96 W.,
Sec. 17, NW $\frac{1}{4}$ NW $\frac{1}{4}$; 200' X 300' = 1.38 acres
Sec. 18, NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 19, SE $\frac{1}{4}$ SW $\frac{1}{4}$; 200' X 300' = 1.38 acres

T. 3 S., R. 97 W.,
Sec. 12, N $\frac{1}{2}$ SE $\frac{1}{4}$; (2) 200' X 300' = 2.76 acres

APPLICANT: Northwest Pipeline Corporation

NEPA COMPLIANCE: The staffs of the Federal Energy Regulatory Commission (FERC) and the Bureau of Land Management (BLM) prepared an environmental assessment (EA) for the construction and operation of a new natural gas transmission facilities referred to as the Parachute Lateral Project in Garfield and Rio Blanco Counties, Colorado.

The Parachute Lateral Project, FERC Docket Nos. CP06-45-000, -001 (hereafter referred to as EA CP06-45-000, -001) was prepared as required by the National Environmental Policy Act (NEPA) and the Federal Land Management and Policy Act. Its purpose, to inform the public and the permitting agencies about the potential adverse and beneficial environmental impacts of the proposed project and its alternatives, and to recommend mitigation measures that would reduce any impacts to the maximum extent possible. FERC and BLM staffs conclude that if the project is constructed in accordance with FERC recommendations and BLM proposed mitigation it would be an environmentally acceptable action.

The BLM proposes to adopt EA CP06-45-000, -001 per Title 40 Code of Federal Regulations (CFR) part 1506.3 to meet its responsibilities under NEPA and its planning regulations per Title 43 CFR part 1610.

For project alternative descriptions and complete analysis of direct and indirect impacts, refer to the Parachute Lateral Project EA CP06-45-000,-001.

| BLM Interdisciplinary Review Team | | |
|--|---------------------------------|---|
| Name | Title | Area of Responsibility |
| Nathan Dietrich | Hydrologist | Air Quality, Water Quality, Surface and Ground Hydrology and Water Rights, Soils |
| Tamara Meagley | Natural Resource Specialist | Areas of Critical Environmental Concern, Threatened and Endangered Plant Species |
| Michael Selle | Archeologist | Cultural Resources, Paleontological Resources |
| Mark Hafkenschiel | Rangeland Management Specialist | Invasive, Non-Native Species, Vegetation , Rangeland Management |
| Lisa Belmonte | Wildlife Biologist | Migratory Birds, Threatened, Endangered and Sensitive Animal Species, Wildlife, Wildlife Terrestrial and Aquatic, Wetlands and Riparian Zones |
| Melissa Kindall | Hazmat Collateral | Wastes, Hazardous or Solid, Wild Horses |
| Chris Ham | Outdoor Recreation Planner | Wilderness, Access and Transportation, Recreation, Visual Resources |
| Ken Holsinger | Natural Resource Specialist | Fire Management |
| Robert Fowler | Forester | Forest Management |
| Paul Daggett | Mining Engineer | Geology and Minerals |
| Penny Brown | Realty Specialist | Realty Authorizations |

Finding of No Significant Impact/Decision Record (FONSI/DR)

CO-110-2005-220-EA

FINDING OF NO SIGNIFICANT IMPACT (FONSI)/RATIONALE: The Bureau of Land Management (BLM) and FERC have determined that the actions proposed by Northwest Pipeline Corporation (Northwest), to construct, operate, and maintain a 30-inch diameter buried natural gas pipeline will not have significant impact on the human environment. The Parachute Lateral Project would extend about 37.6 miles between the Greasewood Hub in Rio Blanco County and the Parachute Gas Plant 3 (currently under construction) in Garfield County, Colorado. Therefore, an environmental impact statement (EIS) is not required. BLM's determination is based on the analysis of the potential environmental impacts from this action contained in the Parachute Lateral Project EA CP06-45-000,-001. During the 30 day comment period, there weren't any comments received. BLM's determination also relies on and adopts the BLM standard practices applied to surface-disturbing activities, and the additional environmental protection measures identified in the Plan of Development, Appendix C which is incorporated into and made of part of the right-of-way grant.

DECISION RECORD AND RATIONAL: It is BLM's decision to approve the construction, operation, and maintenance of a 30-inch diameter buried natural gas pipeline, 37.6 miles extending between the Greasewood Hub and a new natural gas processing plant (Parachute Gas Plant 3), the Starkey Gulch receipt Meter Station (on the site of the new gas processing plant), interconnections with Wyoming Interstate Company (WIC) and Colorado Interstate Gas Company (CIG) at the Greasewood Hub, and appurtenant facilities. The proposed facilities would transport processed natural gas from the new gas plant in the Parachute Valley, Parachute, Colorado, for delivery into WIC's Piceance Lateral and CIG's Uinta Basin Lateral at the Greasewood Hub and have a firm design capacity up to 450,000 dekatherms per day. The general location of the project facilities are shown in Figure 1, attached. Northwest proposes to begin project construction in the summer of 2006, with a desired in-service date of on or before January 1, 2007.

FERC was the "lead federal agency" for preparation of this Environmental Assessment (EA). This effort was undertaken with the participation and assistance of the U.S. Department of the Interior's Bureau of Land Management (BLM), which acted as a "cooperating agency" under NEPA. The EA will provide a basis for coordinated federal agency decision-making in a single document, avoiding duplication between federal processes. In addition to the lead and cooperating agency, and other state and local agencies may use the EA in approving or issuing permits or approvals for all or part of the proposed project. Federal, state, and local permits, approvals, and consultations for the project are discussed in section 1.4 of the EA.

MITIGATION MEASURES:

1. If blasting is required, all applicable federal, state, and local regulation would be observed, including obtaining all necessary permits. Blasting plans would be filed with appropriate agencies prior to blasting, and blast vibration monitoring would be performed if required by regulation or if blasting is conducted in the vicinity of other pipelines, facilities, or structures.
2. The holder shall implement the developed, detailed blasting plan during use of explosives near existing facilities including pipelines or structures. The plan limits charge weight per delay in order to limit blast vibrations, and details a blast vibration monitoring plan to be implemented to verify that vibrations are limited to levels that would not damage structures or initiate instability of slopes. Measures used to control flyrock were also to be addressed.
3. During construction the holder will monitor grading and excavation construction activities in areas where disturbance crosses Condition 1 (i.e. areas known to contain vertebrate fossils or noteworthy occurrences of invertebrate or plant fossils) areas, as determined and agreed upon with the BLM. Monitoring will include visual examination of grading and trench spoils after excavation and prior to pipe lowering and backfill. After initial monitoring, if portions of the alignment identified for monitoring are deemed by the project paleontologist as acceptable for reduced observation, such portions would be reduced to “spot-checking” by the paleontological monitor. The holder may elect to spot-check or monitor areas of paleontological interest that occur within the portion of the proposed project that does not fall on land managed by BLM.
4. The holder will obtain a preconstruction paleontological surface survey of the route between approximate MPs 35 and 37 to confirm that the alignment does not encounter exposed Wasatch Formation containing significant fossils. The proposed alignment between MPs 34.81 and 35.85 falls in the existing road in Starkey Gulch where the alignment is in pre-disturbed ROW.
5. If significant fossil remains are encountered during construction and cannot be easily collected or salvaged from the spoil piles, the inspector or equipment operator should stop work and contact the authorized BLM field officer. Activities will be redirected until the authorized officer or paleontological monitor can assess the situation and advise whether additional measures need to be implemented.
6. To minimize potential impacts from fugitive dust, the holder will water the construction ROW if necessary, as directed by Northwest’s environmental inspector (EI) or the BLM’s authorized representative.
7. Temporary erosion controls, including slope breakers and sediment filter structures (e.g., hay bales and silt fences), will be installed immediately following initial ground disturbance. As required, temporary slope breakers will be installed following trench excavation. The brush and trees cleared from the construction ROW will be scattered

across the ROW after seeding to act as mulch to reduce erosion. Similarly, jute matting will be used on stream banks and other areas as necessary at the direction of the EI. At a minimum, temporary erosion control devices will be inspected on a regular basis and after each rain event of 0.5 inches or greater to ensure that these structures are functioning properly.

8. Impacts from rutting and compaction will be mitigated during final grading when the ruts are filled and the ROW is recontoured to reestablish drainage patterns. Moreover, during seedbed preparation, compacted surfaces will be scarified (i.e., ripped, chiseled or disked) where necessary to prepare a proper seeding surface.
9. The holder will strip and segregate topsoil from the full width of the ROW (working side, ditch line, and spoil storage area) wherever grading is required, unless otherwise specified by the landowner/land managing agency or by other requirements (such as in wetlands).
10. As a condition of the BLM ROW Grant, a Stormwater Management Plan (SWMP) will be developed showing how Best Management Practices (BMPs) are to be used to control runoff and sediment transport. Northwest would be required to have a copy of the SWMP on file with the BLM's White River FO and to implement the BMPs in that plan as on-site conditions warrant.
11. Revegetation of wetland areas would use the seeding species recommended by the NRCS which are provided in Northwest's ECR Plan. Sprigs (i.e., live stakes/cuttings) of woody species would be installed in wetlands as well as at stream crossings to enhance wetland functions and to hasten the recovery of these wetland systems.
12. Revegetation would be monitored periodically for the first 3 years following construction or as required by local jurisdictional agencies. After 3 years, if revegetation is not successful, a remedial revegetation plan would be developed and implemented in coordination with federal, state, and local jurisdictional agencies.
13. To minimize impacts to fish and aquatic habitats, Colorado Division of Wildlife (CDOW) has recommended that in-stream construction take place from late July through early or mid-September to avoid adverse effects to spawning and hatching (Elmblad, 2005).
14. In order to minimize loss of seeded forbs and natural shrub redevelopment, any herbicide application should be limited to spot treatment. This would be mandatory on BLM-administered lands.
15. No surface disturbing activities will occur within 0.5 mile of an identified raptor nest of a federally-listed, federal candidate, or BLM-sensitive species, or within 0.25-mile of a nest of species other than a special status raptor species (BLM, 1996) during the period February 1 through August 15.

16. The holder will conduct a raptor nesting survey prior to construction to determine if nests would be affected. If so, BLM would be notified and consulted for recommended timing and spatial restrictions to apply during active pipeline construction.
17. No surface disturbing actions or placement of facilities can occur within 0.25 of an identified lek. Further, no surface disturbing activities are allowed within a 2.0-mile radius of an identified sage grouse lek if 10 percent or more of the area within that radius has already been disturbed. If that threshold is reached, no development would be allowed from April 15 through July 7. BLM considers this stipulation in effect. This time restriction is also placed on construction within 0.25 miles of active strutting ground.
18. No surface use associated with pipeline installation be conducted between April 15 and July 7 (accommodates 75 percent of hatch in all years) from approximately MP 0 to 1.1 and MP 17 to 17.5. To further protect sage grouse reproductive efforts, Northwest will add three more weeks beyond July 7 to allow for the fledging of the young. The BLM has also recommended that these same restrictions be adopted by Northwest from MP 17.5 to MP 34.2. However, this land is not managed by the BLM.
19. No surface disturbing actions are allowed within any big game severe winter range from December 1 through April 30. Those restrictions are applied only to activities within public lands administered by BLM. The holder has agreed to comply with all timing restrictions that the BLM has set for BLM administered lands. The holder has agreed to defer to FWS recommendations on non-BLM lands.
20. Construction of the Parachute Lateral Project is expected to be initiated after bald eagle nesting period and be completed before the bald eagle wintering period. If not, Northwest will not conduct any work within 0.5 mile of nest locations or wintering areas unless authorization is received from FERC, FWS, and the BLM if on BLM-managed lands. The holder will conduct nesting surveys prior to construction to determine nest status and locations of any new nests. No work would be conducted within 0.5 mile of any active or occupied bald eagle nest from December 15 through July 15 in the year of construction unless authorization is received.
21. If the holder does not use a commercial source of water for hydrostatic testing and uses water from Parachute and Piceance Creek, we agree with the FWS finding that the holder's withdrawal and temporary use of approximately 6.07 acre-feet of water would constitute a depletion. Thus, it has been determined that the Parachute Lateral Project *may affect* the Colorado pikeminnow, razorback sucker, bonytail chub, and humpback chub. The holder would not be authorized to contribute to a depletion in the Colorado River Basin until any necessary formal consultation is completed. **The holder will not begin construction activities until:**
 - the staff receives a Biological Opinion from the U.S. Fish and Wildlife Service regarding project-related water depletion issues in the Colorado River system;
 - The holder has received written notification from the Director of the Office of Energy Projects (OEP) that construction may begin.

22. All areas of project-related disturbance would be restored to preconstruction conditions and reseeded following construction.
23. Any fences damaged by construction activity on BLM land would be rebuilt to BLM specifications.
24. Mitigation measures include fuel reduction through mechanical means or prescribed fire to reduce fuel loading around private lands and industrial interfaces, cultural resource inventories, and preparation of rehabilitation plans prior to a fire event. Maintaining natural fire regimes for vegetation types along the pipeline ROW would be achieved by aggressively preempting and eradicating cheatgrass, and other weed infestations by implementing measures proposed in Northwest's "Upland Erosion Control, Revegetation, and Maintenance Plan" included in the POD, and properly redistributing produced activity fuels. The holder shall:
 - Equip construction equipment operating with internal combustion engines with approved spark arresters.
 - Carry fire-fighting equipment (long-handled round-point shovel and dry chemical fire extinguisher) on motor vehicles and equipment.
 - Take immediate action to suppress accidental fires, notify BLM immediately of all accidental fires through the Craig Interagency Dispatch Center at (970) 826-5037.
 - Control noxious weeds and seed disturbed areas as discussed in the appendix C (Erosion Control and Revegetation Plan) of the POD;
 - Redistribute large, woody material salvaged during clearing operations on BLM-administered lands. Disperse materials over the portion of the ROW from which the trees and brush were originally removed to meet fire management objectives and to provide wildlife habitat, seedling protection and a deterrent to vehicular traffic. Woody materials dispersed across the ROW would not exceed 3 to 5 tons/acre. Excess woody materials may be mulched or made available for firewood or fence posts.
25. The holder will be required to comply with any and all local and state regulations regarding mitigation of fugitive dust emissions.
26. To minimize wind erosion and fugitive dust emissions during construction, Northwest will implement the measures in appendix F (Air, Noise and Fugitive Dust Control Plan) of its POD. These measures include:
 - disturb no more earth than required for construction to occur;
 - water the ROW, laydown areas and temporary roads at least daily in areas of active construction, if necessary, and more frequently as determined by the EI;
 - consider utilization of a dust control agent (e.g. magnesium chloride or other material) to improve the efficacy of the fugitive emissions control application by water spray where traditional water-only watering application is insufficient to control fugitive dust emissions;

- control project-related traffic speeds on dirt access roads and on linear facility ROWs, in coordination with the occupying property owner on private lands and by the county on public roads;
- limit speeds on the construction ROW to fifteen miles per hour, and would decrease speeds when excessive winds prevail or where sensitive areas (such as public roads) may be adjacent to access roads or the ROW;
- maintain speed limit signs for the duration of the construction activities and place signs where access roads intersect with the construction ROW; and
- minimize wind erosion by watering temporarily stockpiled soils to create a semi-hard protective surface layer or crust, if necessary as determined by the EI. This treatment would occur once after the trench has been excavated.

In addition to the above mitigation measures, adopted by the BLM are the environmental conditions issued in the FERC certificate:

1. Northwest shall follow the construction procedures and mitigation measures described in its application and supplements (including responses to staff data requests) and as identified in the EA, unless modified by the Order. Northwest must:
 - a. request any modification to these procedures, measures, or conditions in a filing with the Secretary of the Commission (Secretary);
 - b. justify each modification relative to site-specific conditions;
 - c. explain how that modification provides an equal or greater level of environmental protection than the original measure; and
 - d. receive approval in writing from the Director of OEP before using that modification.
2. The Director of OEP has delegated authority to take whatever steps are necessary to ensure the protection of all environmental resources during construction and operation of the project. This authority shall allow:
 - a. the modification of conditions of the Order; and
 - b. the design and implementation of any additional measures deemed necessary (including stop work authority) to assure continued compliance with the intent of the environmental conditions as well as the avoidance or mitigation of adverse environmental impact resulting from project construction and operation.
3. **Prior to any construction**, Northwest shall file an affirmative statement with the Secretary, certified by a senior company official, that all company personnel, environmental inspectors, and contractor personnel will be informed of the environmental inspector's authority and have been or will be trained on the implementation of the environmental mitigation measures appropriate to their jobs **before** becoming involved with construction and restoration activities.
4. The authorized facility location shall be as shown in the EA, as supplemented by filed alignment sheets. **As soon as they are available, and before the start of construction**,

Northwest shall file with the Secretary any revised detailed survey alignment maps/sheets at a scale not smaller than 1:6,000 with station positions for all facilities approved by the Order. All requests for modifications of environmental conditions of the Order or site-specific clearances must be written and must reference locations designated on these alignment maps/sheets.

Northwest's exercise of eminent domain authority granted under Natural Gas Act (NGA) section 7(h) in any condemnation proceedings related to the Order must be consistent with these authorized facilities and locations. Northwest's right of eminent domain granted under NGA section 7(h) does not authorize it to increase the size of its natural gas pipeline to accommodate future needs or to acquire a right-of-way (ROW) for a pipeline to transport a commodity other than natural gas.

5. Northwest shall file with the Secretary detailed alignment maps/sheets and aerial photographs at a scale not smaller than 1:6,000 identifying all route realignments or facility relocations, and staging areas, pipe storage yards, new access roads, and other areas that would be used or disturbed and have not been previously identified in filings with the Secretary. Approval for each of these areas must be explicitly requested in writing. For each area, the request must include a description of the existing land use/cover type, and documentation of landowner approval, whether any cultural resources or federally listed threatened or endangered species would be affected, and whether any other environmentally sensitive areas are within or abutting the area. All areas shall be clearly identified on the maps/sheets/aerial photographs. Each area must be approved in writing by the Director of OEP **before construction in or near that area**.

This requirement does not apply to extra workspace allowed by the *Upland Erosion Control, Revegetation, and Maintenance Plan*, minor field realignments per landowner needs and requirements which do not affect other landowners or sensitive environmental areas such as wetlands.

Examples of alterations requiring approval include all route realignments and facility location changes resulting from:

- a. implementation of cultural resources mitigation measures;
 - b. implementation of endangered, threatened, or special concern species mitigation measures;
 - c. recommendations by state regulatory authorities; and
 - d. agreements with individual landowners that affect other landowners or could affect sensitive environmental areas.
6. **Within 60 days of the acceptance of this certificate and before construction** begins, Northwest shall file an initial Implementation Plan with the Secretary for review and written approval by the Director of OEP describing how Northwest will implement the mitigation measures required by the Order. Northwest must file revisions to the plan as schedules change. The plan shall identify:

- a. how Northwest will incorporate these requirements into the contract bid documents, construction contracts (especially penalty clauses and specifications), and construction drawings so that the mitigation required at each site is clear to onsite construction and inspection personnel;
 - b. the number of environmental inspectors assigned per spread, and how the company will ensure that sufficient personnel are available to implement the environmental mitigation;
 - c. company personnel, including environmental inspectors and contractors, who will receive copies of the appropriate material;
 - d. the training and instructions Northwest will give to all personnel involved with construction and restoration (initial and refresher training as the project progresses and personnel change), with the opportunity for OEP staff to participate in the training session;
 - e. the company personnel (if known) and specific portion of Northwest's organization having responsibility for compliance;
 - f. the procedures (including use of contract penalties) Northwest will follow if noncompliance occurs; and
 - g. for each discrete facility, a Gantt or PERT chart (or similar project scheduling diagram), and dates for:
 - (1) the completion of all required surveys and reports;
 - (2) the mitigation training of onsite personnel;
 - (3) the start of construction; and
 - (4) the start and completion of restoration.
7. Northwest shall employ at least two environmental inspectors per construction spread. The environmental inspectors shall be:
- a. responsible for monitoring and ensuring compliance with all mitigation measures required by the Order and other grants, permits, certificates, or other authorizing documents;
 - b. responsible for evaluating the construction contractor's implementation of the environmental mitigation measures required in the contract (see condition 6 above) and any other authorizing document;
 - c. empowered to order correction of acts that violate the environmental conditions of the Order, and any other authorizing document;
 - d. a full-time position, separate from all other activity inspectors;
 - e. responsible for documenting compliance with the environmental conditions of the Order, as well as any environmental conditions/permit requirements imposed by other federal, state, or local agencies; and
 - f. responsible for maintaining status reports.
8. Northwest shall file updated status reports prepared by the head environmental inspector with the Secretary on a **weekly** basis **until all construction and restoration activities are complete**. On request, these status reports will also be provided to other federal and state agencies with permitting responsibilities. Status reports shall include:

- a. the current construction status of the project, work planned for the following reporting period, and any schedule changes for stream crossings or work in other environmentally sensitive areas;
 - b. a listing of all problems encountered and each instance of noncompliance observed by the environmental inspectors during the reporting period (both for the conditions imposed by the Commission and any environmental conditions/permit requirements imposed by other federal, state, or local agencies);
 - c. a description of corrective actions implemented in response to all instances of noncompliance, and their cost;
 - d. the effectiveness of all corrective actions implemented;
 - e. a description of any landowner/resident complaints which may relate to compliance with the requirements of the Order, and the measures taken to satisfy their concerns; and
 - f. copies of any correspondence received by Northwest from other federal, state or local permitting agencies concerning instances of noncompliance, and Northwest's response.
9. Northwest must receive written authorization from the Director of OEP **before commencing service** from the project. Such authorization will only be granted following a determination that rehabilitation and restoration of the ROW and other areas of project-related disturbance are proceeding satisfactorily.
10. Northwest shall strip and segregate topsoil from the full width of the ROW (working side, ditch line, and spoil storage area) wherever grading is required, unless otherwise specified by the landowner/land managing agency or by other requirements (such as in wetlands).
11. Northwest shall not begin construction activities **until**:
 - a. the staff receives a Biological Opinion from the U.S. Fish and Wildlife Service regarding project-related water depletion issues in the Colorado River system; and
 - b. Northwest has received written notification from the Director of OEP that construction may begin.
12. Northwest shall limit the land acquired by eminent domain under the NGA for its permanent easement to a width no larger than 50 feet. This does not place a limit on Northwest's ability to purchase land on the open market for a wider permanent easement.
13. Northwest shall defer construction and use of facilities and staging, storage, and temporary work areas and new or to-be-improved access roads **until**:
 - a. Northwest files the Colorado SHPO's comments on the Class III inventory report;
 - b. Northwest files the BLM comments on the Addendum report;

- c. Northwest files a supplemental survey report for any extra work spaces, access roads, pipe yards, and other remaining areas requiring survey, and the SHPO's and BLM's, as appropriate, comments on the report;
- d. Northwest files any required treatment plan, and the SHPO's and BLM's, as appropriate, comments on any plan; and
- e. the Director of OEP reviews and approves all reports and plans and notifies Northwest in writing that it may proceed with any treatment or construction.

All material filed with the Commission containing **location, character, and ownership** information about cultural resources must have the cover and any relevant pages therein clearly labeled in bold lettering: "**CONTAINS PRIVILEGED INFORMATION--DO NOT RELEASE.**"

COMPLIANCE/MONITORING: Compliance will be conducted by the realty staff throughout the construction phase and every five years thereafter.

NAME OF PREPARER: Penny Brown

NAME OF ENVIRONMENTAL COORDINATOR: Caroline Hollowed

SIGNATURE OF AUTHORIZED OFFICIAL:


Field Manager

DATE SIGNED:

8/29/06

ATTACHMENTS: Figure 1; General Project Location

Figure 1:

